



HF 2420 – Sexual Abuse Examination Kit Inventory (LSB1323HV)
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Fiscal Note Version – New

Description

House File 2420 addresses the issue of untested sexual abuse evidence collection kits not submitted to a crime lab for testing but stored at law enforcement agencies in Iowa.

Background

In September 2015, the U. S. Department of Justice awarded a \$2.0 million grant to the Iowa Attorney General's Office (AG) to identify the number of untested sexual abuse evidence collection kits existing within Iowa law enforcement agencies. Half of the grant funds (\$1.0 million) is directed to testing kits and the remaining funds (\$1.0 million) is directed to support law enforcement investigations and prosecutions derived from kits tested. This grant will be available for three federal fiscal years (FFY 2016 – FFY 2018). A steering committee within the Crime Victim Assistance Division (CVAD) of the AG's Office was formed to administrate the grant.

The funds were received in February 2016 and a survey was immediately sent to 414 Iowa law enforcement agencies. Responses were requested within 90 days. The experience in other states has been a compliance rate of approximately 40.0% with a nonmandated survey. This bill requires a survey response by January 1, 2017. The CVAD is to compile the results of the survey and submit a written report to the General Assembly by March 15, 2017. The report is to include the names and contact information of each law enforcement agency that fails to submit answers to the survey as required. The survey includes specific questions on the storage of each kit, and an inventory of each kit including the reason for not submitting the kit for analysis.

It is not possible at this time to estimate how many untested sexual abuse kits will be reported statewide. The city of Des Moines has already completed an inventory and identified 870 untested kits. It is also unknown at this point how many kits will be viable for testing. A kit must yield five samples to be viable for laboratory testing.

Assumptions

- Up to 1,000 kits will be tested at a cost of \$1,000 each.
- The Department of Public Safety Division of Criminal Investigation Crime Lab will contract with private laboratories for testing kits as the funding is not considered sustainable to add necessary equipment and hire and train additional permanent staff. Only private laboratories following the Federal Bureau of Investigation Quality Assurance Standards will be utilized to perform testing of kits.
- Currently 2.0 FTE positions are being utilized for the survey and inventory of kits. The cost of these FTE positions will be paid from federal funds.

Fiscal Impact

There will be no fiscal impact to the General Fund for the survey, inventory, and testing of sexual abuse kits.

It is not possible to estimate at this time if the federal grant funding will be sufficient to test all identified viable kits. Nor is it possible to estimate if all of the costs involved in investigations and prosecutions related to tested kits will be covered under the federal grant. However, this is a three-year funding process and the survey results will make it possible to estimate the amount of funding necessary to test all viable kits.

The bill may include a state mandate as defined in Code section [25B.3](#).

Sources

Iowa Department of Justice, Attorney General's Office, Crime Victim Assistance Division
Iowa Department of Public Safety, Crime Lab

/s/ Holly M. Lyons

March 2, 2016

The fiscal note for this bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
